



PLANNING COMMISSION STAFF REPORT

Land Use Services Department

Advance Planning Division



HEARING DATE: July 24, 2003

AGENDA ITEM NO: 2

Project Description

APN: Multiple
Applicant: Land Use Services Department
Proposal: An ordinance to amend Title 8 of the San Bernardino County Code relating to regulations for glare, outdoor lighting and night sky protection.
Index: CW1-849N
CATS: L612
Community: All of the First Supervisorial District and portions of the Second and Third Supervisorial Districts within the Mountain and Desert Regions
Staff: Jim Squire

STAFF RECOMMENDATION:

- A. THE PLANNING COMMISSION RECOMMENDS THAT THE BOARD OF SUPERVISORS ADOPT the proposed ordinance to amend the Development Code.
 - B. ADOPT the findings as contained in the staff report;
 - C. FILE the Notice of Exemption.
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BACKGROUND:

On June 19, 2001, the Board of Supervisors adopted Ordinance 3821 to establish glare and outdoor lighting regulations for four planning areas within the Morongo Basin. For several years prior to this adoption there had been a growing concern from the residents of the Morongo Basin area about the intrusion of inappropriate lighting that adversely impacted the ability of the residents to fully enjoy the night sky. As a result, the Joshua Tree Municipal Advisory Council (MAC) requested that the County adopt an ordinance that would encourage good lighting practices while protecting the area from inappropriate lighting.

After the adoption of this ordinance, residents within other communities of the County began requesting that the new outdoor lighting provisions be extended to include their areas. There was particularly strong interest in several mountain and desert communities. Staff prepared a new ordinance and has presented it to the MAC meetings in Wrightwood, Phelan, Lucerne Valley, Lake Arrowhead and Crest Forest. All five of these councils have expressed their approval of expanding this ordinance to the entire Mountain and Desert Regions.

The proposed ordinance is intended to: (1) encourage quality lighting; (2) maintain night-time safety, utility, security and productivity; and (3) encourage lighting practices and systems which will minimize light pollution, glare, and light trespass, conserve energy and resources and curtail the degradation of the night time visual environment.

The proposed ordinance would expand the area of applicability of these regulations to the entire Mountain and Desert Regions. The main provisions of the ordinance are as follows:

Shielding: All new lighting for new construction, unless exempt, shall be shielded in accordance with the standards included in the ordinance to preclude light trespass on adjacent property or to any member of the public who may be traveling on adjacent roadways or rights-of-way. This requirement would apply to new residential, commercial or industrial construction.

Nonconforming Light Fixtures: Nonconforming light fixtures may continue to be used. However, should it be determined that a nonconforming lighting fixture results in light trespass, the County may require the light to either be shielded, filtered, redirected, replaced with a less intense light source, removed or a combination thereof to eliminate light trespass and thereby forcing such nonconforming fixtures to come into closer conformance with the ordinance.

Commercial and Industrial Land Use Districts: Fifty percent of all nonconforming lighting fixtures within parking lots or open lot sale areas shall be turned off within one hour after closing or between the hours of 10:00 p.m. and sunrise, whichever occurs first.

Recreation Facilities: There shall be no illumination of private recreation facilities between the hours of 11:00 p.m. and dawn. There shall be no illumination of public recreational facilities unless the facilities are being utilized. The illumination must be turned off no later than 11:00 p.m., or one hour after the termination of the event and/or use, whichever occurs first.

Primary Signs and Exterior Illuminated Accessory Signs: Lighting fixtures used to illuminate any new primary sign (billboard) and exterior illuminated accessory signs must be mounted on the top of the sign structure and comply with the shielding requirements.

Exempt Fixtures: Certain lighting fixtures would be exempt from the provisions of the ordinance. These fixtures include those that use fossil fuels, neon lighting fixtures, emergency lighting, internally illuminated signs, holiday lighting fixture displays, architectural lighting which does not exceed an intensity of 40 watts, pedestrian lighting which does not have an intensity greater than 40 watts, and vertical lighting for a properly displayed U.S. flag which does not exceed an intensity of 140 watts.

Two cities within the County, Yucca Valley and Twentynine Palms, have adopted similar outdoor lighting ordinances. Both communities have found their ordinances to be effective and essential to the preservation of the community enjoyment of the night sky.

FINDINGS:

1. The proposed Development Code Amendment is exempt from the California Environmental Quality Act (CEQA) as it does not have the potential to cause a significant effect on the environment.
2. The proposed Development Code Amendment is consistent with the goals and policies of the General Plan.

ATTACHMENTS:

1. Proposed Development Code Amendment Ordinance
2. Comment Letters
3. Supporting Information